

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Mac Muir	Team: Squad #12	CCRB Case #: 201804210	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Sunday, 05/20/2018 3:45 AM	Location of Incident: 55 Little West 12th Street; 6th Precinct stationhouse	Precinct: 06	18 Mo. SOL 11/20/2019	EO SOL 11/20/2019	
Date/Time CV Reported Sun, 05/20/2018 5:18 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 05/29/2018 10:47 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT John Becerra	4741	932311	006 PCT
2. POM Douglas Lee	06978	938837	006 PCT
3. POM Cory Green	01392	950531	006 PCT
4. POM Brian Ferguson	06843	938470	006 PCT
5. POM Timothy Borock	13720	956447	006 PCT
6. POM Ilir Krasniqi	08708	956809	006 PCT
7. Officers			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Maureen Carey	20116	958370	006 PCT
2. SGT Ronald Darabant	02842	936427	006 PCT
3. POM Christophe Witt	05922	962171	006 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT John Becerra	Force: At 55 Little West 12th Street in Manhattan, Sergeant John Becerra used physical force against § 87(2)(b)	
B.POM Cory Green	Force: At 55 Little West 12th Street, Police Officer Cory Green used physical force against § 87(2)(b)	
C.POM Douglas Lee	Force: At 55 Little West 12th Street in Manhattan, Police Officer Douglas Lee used physical force against § 87(2)(b)	
D.POM Brian Ferguson	Force: At 55 Little West 12th Street, Police Officer Brian Ferguson used physical force against § 87(2)(b)	
E.POM Ilir Krasniqi	Force: At the 6th Precinct stationhouse, Police Officer Ilir Krasniqi used physical force against § 87(2)(b)	
F.POM Ilir Krasniqi	Off. Language: At the 6th Precinct stationhouse, Police Officer Ilir Krasniqi made remarks to § 87(2)(b) based upon her perceived mental disability.	
G.POM Ilir Krasniqi	Force: At the 6th Precinct stationhouse, Police Officer Ilir Krasniqi used physical force against § 87(2)(b)	
H.POM Timothy Borock	Force: At the 6th Precinct stationhouse, Police Officer Timothy Borock used physical force against § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
I.POM Cory Green	Force: At the 6th Precinct stationhouse, Police Officer Cory Green used physical force against § 87(2)(b)	
J. Officers	Force: At the 6th Precinct stationhouse, Officers used physical force against § 87(2)(b)	
K.POM Cory Green	Force: At the 6th Precinct stationhouse, Police Officer Cory Green used physical force against § 87(2)(b)	
L.POM Cory Green	Off. Language: At the 6th Precinct stationhouse, Police Officer Cory Green made remarks to § 87(2)(b) based upon race.	
M.POM Cory Green	Off. Language: At the 6th Precinct stationhouse, Police Officer Cory Green made remarks to § 87(2)(b) based upon gender.	
N.POM Cory Green	Off. Language: Police Officer Corey Green made remarks to § 87(2)(b) based upon her perceived mental disability.	

Case Summary

On May 20, 2018, this complaint was submitted to the Internal Affairs Bureau (IAB) via telephone by Sergeant Becerra of the 6th Precinct, on behalf of § 87(2)(b). It was received by the CCRB on May 29, 2018.

At approximately 3:45 a.m. on May 20, 2018, § 87(2)(b) was at the Brass Monkey, a bar at 55 Little West 12th Street in Manhattan. Sergeant John Becerra and Police Officer Corey Green of the 6th Precinct, followed by Police Officers Brian Ferguson and Douglass Lee of the 6th Precinct, responded to a call for help from the manager, § 87(2)(b). § 87(2)(b) was refusing to leave the bar. Sergeant Becerra, Police Officer Green, Police Officer Lee, and Police Officer Ferguson used physical force to place § 87(2)(b) into handcuffs (**Allegation A: Force: § 87(2)(g)**) (**Allegation B: Force: § 87(2)(g)**) (**Allegation C: Force: § 87(2)(g)**) (**Allegation D: Force: § 87(2)(g)**).

§ 87(2)(b) was transported to the 6th Precinct stationhouse by Police Officers Ilir Krasniqi and Timothy Borock of the 6th Precinct. Police Officer Krasniqi allegedly shoved § 87(2)(b) in the back over-and-over to get her into the stationhouse, called her “a lunatic,” and said, “This girl’s crazy” (**Allegation E: Force: § 87(2)(g)**) (**Allegation F: Offensive Language: § 87(2)(g)**). In the 6th Precinct stationhouse, Police Officer Krasniqi, Police Officer Borock, Police Officer Green, and other officers allegedly took § 87(2)(b) to the ground and pinned her there for approximately five minutes (**Allegation G: Force: § 87(2)(g)**) (**Allegation H: Force: § 87(2)(g)**) (**Allegation I: Force: § 87(2)(g)**) (**Allegation J: Force: § 87(2)(b), § 87(2)(g)**). Police Officer Green allegedly punched § 87(2)(b) in the face while she was in handcuffs (**Allegation K: Physical Force: § 87(2)(g)**). Police Officer Green allegedly called § 87(2)(b) a “black bitch” (**Allegation L: Offensive Language: § 87(2)(g)**) (**Allegation M: Offensive Language: § 87(2)(g)**). § 87(2)(b) told Police Officer Green he did not have the right to touch her and he allegedly replied, “Shut up. You’re insane” (**Allegation N: Offensive Language: § 87(2)(g)**). § 87(2)(b) slapped Police Officer Maureen Carey of the 1st Precinct in the face. § 87(2)(b) was charged with three counts of assault, two counts of harassment, two counts of resisting arrest, attempted assault, and disorderly conduct.

The investigation obtained stationhouse camera footage that depicted a portion of this incident (Board Review 02). It did not depict misconduct or capture the areas of the stationhouse where § 87(2)(b) alleged misconduct.

The investigation requested video footage that depicted portions of the stationhouse where § 87(2)(b) alleged misconduct, requesting both, “All footage of § 87(2)(b) inside of the 6th Precinct stationhouse,” and, “Footage of § 87(2)(b) striking an officer in the 6th Precinct stationhouse.” The NYPD did not provide all available footage, initially providing footage that did not show § 87(2)(b) being taken into the stationhouse, and later claiming that any additional footage had expired. There was no mention in either response of footage depicting § 87(2)(b) striking Police Officer Carey.

The investigation obtained stationhouse footage from Police Officer Carey that was not otherwise provided by the NYPD (Board Review 03). This footage was apparently edited, is set to techno

music. It shows § 87(2)(b) repeatedly slapping Police Officer Carey in the face. An IAB investigation was opened regarding this incident via IAB Log #2018-32288. According to the Internal Affairs Bureau, Detective Carey was ultimately exonerated.

Findings and Recommendations

Allegation A – Force: At 55 Little West 12th Street in Manhattan, Sergeant John Becerra used physical force against § 87(2)(b)

Allegation B – Force: At 55 Little West 12th Street in Manhattan, Police Officer Cory Green used physical force against § 87(2)(b)

Allegation C – Force: At 55 Little West 12th Street in Manhattan, Police Officer Douglass Lee used physical force against § 87(2)(b)

Allegation D – Force: At 55 Little West 12th Street in Manhattan, Police Officer Brian Ferguson used physical force against § 87(2)(b)

§ 87(2)(b) was interviewed at the CCRB on June 28, 2018 (Board Review 04). She stated that on May 20, 2018, she had been celebrating her sister's birthday when her party went to the Brass Monkey, a bar at 55 Little West 12th Street in Manhattan. She had consumed six or seven alcoholic beverages. § 87(2)(b) suddenly felt dizzy and went to the bathroom to rinse water on her face. Approximately five minutes later, she left the bathroom and found that her sister and their friends were no longer there. § 87(2)(b) began to panic. § 87(2)(b) spoke to the bouncers at the bar, one of whom told her that she had to leave. She left the bar, used another bouncer's cellphone to try to call her sister, and then attempted to back into the bar. A bouncer told her that she could not go inside, and when she continued to try to go inside, he wrapped his arms around her, swept her legs from underneath her, and she fell to the ground. This caused a cut above her eyebrow and a scrape on her knee. The bouncer held § 87(2)(b)'s hands behind her back for between five and ten minutes, after which time Police Officers Ilir Krasniqi and Timothy Borock of the 6th Precinct arrived. They placed her in handcuffs, placed her into a police vehicle, and drove her to the 6th Precinct stationhouse. § 87(2)(b) denied that there was any physical altercation between herself and officers in the vicinity of 55 Little West 12th Street. The only officers she saw there were Police Officers Krasniqi and Borock.

The officers provided a significantly different account of this incident.

Sergeant Becerra was interviewed at the CCRB on August 23, 2018 (Board Review 05). He stated that at approximately 3:45 a.m. on May 20, 2018, he was on patrol with Police Officer Green when he received a call from § 87(2)(b) the manager of the Brass Monkey. She explained that § 87(2)(b) was "out of control" and had hit several bouncers at the bar. She requested that Sergeant Becerra respond to the Brass Monkey. Sergeant Becerra called dispatch and asked Police Officer Douglas Lee and Police Officer Brian Ferguson, who were assigned to the sector in which the incident occurred, to respond to the incident as well because they were in uniform. When Sergeant Becerra arrived, he was informed by § 87(2)(b) and the security guards that § 87(2)(b) was intoxicated, had punched several bouncers, and then been asked to leave. She had left. However, after speaking with § 87(2)(b) and the bouncers for several minutes, he observed § 87(2)(b) return to the Brass Monkey from down the street. § 87(2)(b) paced outside in a brightly colored outfit. She smelled like alcohol and had slurred speech. § 87(2)(b) attempted to walk into the Brass Monkey, and one of the bouncers told her that she could not go

inside. Standing at the threshold of the door, she appeared to be “irate,” cursing at Sergeant Becerra, the uniformed officers, and the Brass Monkey staff. She said things like, “Fuck you,” “Don’t look at me,” and “Don’t help me.” She repeatedly insisted that her friends were inside of the bar. One of the bouncers let her use his cellphone to place a call. A white female civilian, who was standing outside of the bar, said to § 87(2)(b) “Why don’t you act like a lady?” § 87(2)(b) became “infuriated” and tried to “attack” the female individual. It appeared that § 87(2)(b) was going to use her hands to grab or strike the white female civilian. Sergeant Becerra stood between them and grabbed § 87(2)(b)’s shoulders in order to separate her from the white female civilian. § 87(2)(b) pushed Sergeant Becerra in attempt to move toward the white female civilian. Sergeant Becerra told § 87(2)(b) to calm down and go home. He moved her so that she stood against a fence next to the Brass Monkey. § 87(2)(b) struggled to move toward the white female civilian. § 87(2)(b) was standing upright, immediately in front of Sergeant Becerra. She then punched Sergeant Becerra in the face. To defend himself, and to gain § 87(2)(b)’s compliance, Sergeant Becerra struck § 87(2)(b) in the face with his right hand. Police Officer Green and Sergeant Becerra took § 87(2)(b) to the ground chest first. § 87(2)(b) thrashed and prevented herself from being handcuffed. § 87(2)(b) was ultimately handcuffed, lifted off the ground, and leaned against the same fence she had initially been placed against. She kicked Sergeant Becerra in the left knee. § 87(2)(b) yelled and screamed that what the officers had done was not right and they had used too much force on her. Sergeant Becerra called for an additional car to have § 87(2)(b) transported back to the 6th Precinct. § 87(2)(b) continued to try to kick the officers. Sergeant Becerra believed that § 87(2)(b) was placed back down onto the ground again in order to prevent her from kicking the officers any further. After approximately three or four minutes, Police Officer Borock and Police Officer Krasniqi arrived to transport § 87(2)(b) who continued to fight, kick, and curse as she was placed into their vehicle. She was transported to the 6th Precinct stationhouse.

Police Officer Green was interviewed at the CCRB on August 23, 2018 (Board Review 06). His account was consistent with Sergeant Becerra’s account. Upon arriving at 55 Little West 12th Street, Brass Monkey staff members complained that § 87(2)(b) had been “acting crazy” and that she had punched a security guard. § 87(2)(b) returned to the Brass Monkey and a security guard told her that she could not reenter the bar. § 87(2)(b) got into “a dispute” with a female civilian and appeared to attempt to “attack” her. Sergeant Becerra and Police Officer Green stood between them. Sergeant Becerra escorted § 87(2)(b) away and Police Officer Green stayed with the female civilian. § 87(2)(b) punched Sergeant Becerra, and Police Officer Green ran toward them. He and Sergeant Becerra grabbed § 87(2)(b) and struggled to get her into handcuffs. § 87(2)(b) kicked several officers. Police Officer Green “threw her down” with a “forcible takedown” by holding her wrist with one hand, her shoulder with the other, and putting her down onto the ground chest-first by making a torqueing motion toward the ground. He did not trip her. Sergeant Becerra held § 87(2)(b)’s opposite side and took actions that mirrored Police Officer Green’s actions to take her to the ground together. Police Officer Green held § 87(2)(b) as she went to the ground so that her face did not directly hit the ground. § 87(2)(b) continued to kick. Police Officer Green grabbed her legs to prevent her from kicking. § 87(2)(b) was placed into handcuffs. Police Officer Green did not see Sergeant Becerra punch § 87(2)(b) in the face. He was later made aware that Sergeant Becerra punched § 87(2)(b) in the face because they completed Threat, Resistance, and Injury (T.R.I.) Reports together and Sergeant Becerra reflected

that he had struck § 87(2)(b) in the face. § 87(2)(b) was placed into a police vehicle and transported to the 6th Precinct stationhouse.

Police Officer Lee was interviewed at the CCRB on October 30, 2018 (Board Review 07). He stated that when § 87(2)(b) was not allowed back into the Brass Monkey, she called the officers “pigs” and “useless.” She called Police Officer Lee “white trash,” and “a white supremacist,” which he found confusing. After she was escorted away by Sergeant Becerra, Police Officer Lee turned and saw Sergeant Becerra and § 87(2)(b) on the ground with Police Officer Green. § 87(2)(b) was kicking the officers. Police Officer Lee walked over and grabbed § 87(2)(b)’s feet to prevent her from kicking the officers. Police Officer Ferguson held § 87(2)(b)’s legs down as Police Officer Lee grabbed her right arm and pulled it behind her back. Police Officer Green placed a handcuff around her right wrist. It took approximately twenty seconds to place § 87(2)(b) into handcuffs. Police Officer Lee and Police Officer Green picked § 87(2)(b) up and propped her against a fence. They told her to calm down. § 87(2)(b) began to kick Police Officer Lee. He informed her that if she continued to kick him, he would have to put her back onto the ground. She continued to kick Police Officer Lee, so he held onto her arms and placed her onto the ground again. § 87(2)(b) was lifted to her feet again and then transported to the 6th Precinct stationhouse.

Police Officer Ferguson was interviewed at the CCRB on August 15, 2018 (Board Review 08). His statement was generally consistent with the other officers’ accounts. However, he denied that Sergeant Becerra struck § 87(2)(b). He denied using any physical force against § 87(2)(b). He was presented with the T.R.I. he completed regarding this incident and it did not refresh his recollection of the incident.

Police Officer Borock was interviewed at the CCRB on January 25, 2019 (Board Review 09). He stated that he transported § 87(2)(b) from 55 Little West 12th Street to the 6th Precinct stationhouse. However, he did not remember what he observed at 55 Little West 12th Street and did not know what happened there. He did not remember seeing a crowd and did not have any recollection of § 87(2)(b) being intoxicated. He was not aware of any physical confrontation that happened there.

Police Officer Krasniqi was interviewed at the CCRB on January 25, 2019 (Board Review 10). He stated that he transported § 87(2)(b) from 55 Little West 12th Street to the 6th Precinct stationhouse. He did not remember seeing anything “out of the ordinary.” He did not recall her resisting or appearing to be intoxicated.

Sergeant Becerra (Board Review 11) and Police Officer Green (Board Review 12) had memo book entries that reflected their accounts of the incident, both stating that § 87(2)(b) punched Sergeant Becerra in the face and that a struggle ensued to gain her compliance. Sergeant Becerra’s memo book indicated that he sustained pain and swelling to his mouth. Police Officer Lee (Board Review 12) and Police Officer Ferguson (Board Review 12) both had memo book entries that only reflected that they were assisting the 6th Precinct Anti-Crime sergeant at Little West 12th Street.

Sergeant Becerra, Police Officer Green, Police Officer Lee, and Police Officer Ferguson respectively completed T.R.I. reports (Board Review 13) that indicated they used a forcible takedown against § 87(2)(b) at 55 Little West 12th Street to defend themselves, a member of the public, and other members of service. Sergeant Becerra's T.R.I. reflects that § 87(2)(b) used a hand strike against him.

§ 87(2)(b) manager of the Brass Monkey, provided a telephone statement on April 18, 2019 (Board Review 14). Her statement was consistent with the officers' accounts of what happened. She stated that § 87(2)(b) was twice removed from the bar and was repeatedly asked to leave the area before she punched Sergeant Becerra in the face. § 87(2)(b) asserted that § 87(2)(b) needed to be restrained by all four officers who were present.

§ 87(2)(g)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

According to Patrol Guide Procedure 221-01 (Board Review 15), officers may use reasonable force to ensure the safety of a member of service or a third person, or when it is reasonable to place a person in custody. Officers may only use the reasonable force necessary to gain control or custody of a subject. In determining whether use of force is reasonable, officers should consider the nature and severity of the crime/circumstances, actions taken by the subject, whether the subject is actively resisting custody, and whether the subject is apparently under the influence of a stimulant/narcotic which would affect pain tolerance or increase the likelihood of violence.

According to New York Penal Law §120.00 (Board Review 16), a person is guilty of assault in the third degree when they recklessly cause injury to another person.

According to New York Penal Law §205.30 (Board Review 17), a person is guilty of resisting arrest when he intentionally prevents or attempts to prevent a police officer from effecting an authorized arrest of himself or another person.

§ 87(2)(g)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

§ 87(2)(g)

Allegation E – Force: At the 6th Precinct stationhouse, Police Officer Ilir Krasniqi used physical force against § 87(2)(b)

Allegation F – Offensive Language: At the 6th Precinct stationhouse, Police Officer Ilir Krasniqi made remarks to § 87(2)(b) based upon her perceived mental disability.

§ 87(2)(b) stated she was transported to the 6th Precinct stationhouse by two officers, who were identified by the investigation as Police Officer Krasniqi and Police Officer Borock. She alleged that upon arriving at the precinct stationhouse, Police Officer Krasniqi repeatedly shoved her shoulder to get her to walk her into the stationhouse. This caused her to stumble forward several times. As she continued to ask him to stop pushing her, he called her “a lunatic” and laughed at her. At the front desk, Police Officer Krasniqi told the other officers who were present, “This girl’s crazy.”

Police Officer Krasniqi accounted for transporting § 87(2)(b) to the precinct. However, he did not recall shoving § 87(2)(b) into the stationhouse. He denied that she stumbled forward as she was escorted into the stationhouse. He denied calling her a lunatic. He denied calling her crazy. He did not recall § 87(2)(b) telling him to stop touching her. He was informed of § 87(2)(b) s account of this portion of the incident and replied, “I can’t recall any of that.”

Police Officer Borock stated that he and Police Officer Krasniqi brought § 87(2)(b) from 55 Little West 12th Street to the 6th Precinct stationhouse “as per normal procedure.” He was asked whether Police Officer Krasniqi repeatedly pushed § 87(2)(b) to get her into the stationhouse and replied, “Not that I can remember.” He did not remember Police Officer Krasniqi calling § 87(2)(b) “a lunatic” or crazy. He also did not recall § 87(2)(b) behaving in a way that might have prompted someone to call her a lunatic.

Sergeant Ronald Darabant was interviewed at the CCRB on January 25, 2019 (Board Review 18). He stated that he was the desk sergeant when § 87(2)(b) was escorted into the stationhouse. He did not recall whether an officer repeatedly shoved § 87(2)(b) as she was taken into the stationhouse. He did not recall an officer calling her a “lunatic” or saying that she was crazy. He did not recall there being any other officers present when § 87(2)(b) was initially processed at the front desk.

Police Officer Carey was interviewed at the CCRB on August 15, 2018 (Board Review 19). She stated that she observed § 87(2)(b) at the front desk of the stationhouse, but denied seeing an

officer pushing her. She denied that any officer called § 87(2)(b) “a lunatic” or that an officer said, “This girl’s crazy.”

Stationhouse surveillance footage was provided by the Strategic Technology Division (Board Review 20) (Board Review 02) on June 22, 2018. However, the footage that was provided did not capture Police Officers Krasniqi and Borock escorting § 87(2)(b) into the stationhouse.

§ 87(2)(g)

Allegation G – Force: At the 6th Precinct stationhouse, Police Officer Ilir Krasniqi used physical force against § 87(2)(b)

Allegation H – Force: At the 6th Precinct stationhouse, Police Officer Timothy Borock used physical force against § 87(2)(b)

Allegation I – Force: At the 6th Precinct stationhouse, Police Officer Cory Green used physical force against § 87(2)(b)

Allegation J – Force: At the 6th Precinct stationhouse, officers used physical force against

§ 87(2)(b)

§ 87(2)(b) alleged that inside of the 6th Precinct stationhouse, next to the front desk, Police Officer Krasniqi and Police Officer Borock were joined by Police Officer Green and four additional officers. As Police Officer Krasniqi shoved § 87(2)(b) forward, she moved slightly out of the way, making his hand move past her and for him to fall forward. He appeared to be annoyed, grabbed her by the shoulders, and attempted to push her to the floor. § 87(2)(b) still in handcuffs, shook her shoulders as if to get Police Officer Krasniqi to let go. He attempted to sweep § 87(2)(b)'s legs from underneath her. Police Officer Green and the four other officers grabbed § 87(2)(b) and attempted to bring her to the ground with Police Officer Krasniqi and Police Officer Borock. They lowered § 87(2)(b) to the stationhouse floor and kept her pinned there for approximately five minutes as she screamed. When she stopped screaming, they lifted her from the ground.

Aside from Police Officer Krasniqi, Police Officer Borock, and Police Officer Green, the investigation was unable to identify the officers who allegedly took § 87(2)(b) to the ground. She stated that one of those officers was an approximately 6’0” tall uniformed white male in his mid-20’s with a skinny build, blond hair, blue eyes, and no facial hair. However, with such a generic description, the investigation could not attribute these allegations to a specific officer. She stated that the other three officers were white male officers but could not describe them in any additional detail.

Police Officer Carey stated that when she first saw § 87(2)(b) at the front desk of the 6th Precinct, she was rear-handcuffed and appeared to be irate. She was crying and “slobbering all

over herself.” Police Officer Green was present. Police Officer Carey did not remember which other officers were present. Officers – Police Officer Carey did not remember who – asked her to search § 87(2)(b) who screamed, dropped her weight, and fell to the ground under her own power. Police Officer Carey denied that officers lowered § 87(2)(b) to the ground. Police Officer Carey denied that an officer used a leg sweep to bring § 87(2)(b) to the ground. Police Officer Carey stated that § 87(2)(b) kicked and screamed on the ground for approximately one minute, but denied that she was pinned to the ground or that any officer made physical contact with her. Officers – Police Officer Carey did not remember who or how many – attempted to lift § 87(2)(b) off the ground. However, § 87(2)(b) lifted herself off the ground herself. Police Officer Carey tried to search § 87(2)(b) but she jerked her body away and screamed, “Get away from me.” This prevented Police Officer Carey from searching her.

Police Officer Green was informed that § 87(2)(b) had alleged that officers used force to take her to the stationhouse floor and that she had kicked and screamed for approximately five minutes. He did not recall this happening, but added, “It’s possible.” He did not see officers holding § 87(2)(b) down to prevent her from kicking. He denied holding her against the stationhouse floor.

Police Officer Krasniqi denied taking § 87(2)(b) to the stationhouse floor and did not recall having any physical interaction with her. He did not recall trying to sweep § 87(2)(b) legs out from underneath her. He did not recall § 87(2)(b) being pinned to the stationhouse floor.

Police Officer Borock could not remember § 87(2)(b) being taken to the ground. He did not recall her being held on the stationhouse floor. He did not remember any officers being present in the stationhouse aside from himself, Police Officer Krasniqi, and Sergeant Darabant. He did not recall having any physical confrontation with § 87(2)(b).

Sergeant Darabant was informed that § 87(2)(b) alleged that an officer swept her legs from underneath her as she shook her body to get away from them. Sergeant Darabant did not remember anything like this happening. He did not recall her being lowered to the floor. He did not remember her kicking her legs for approximately five minutes.

Police Officer Witt was interviewed at the CCRB on February 27, 2019 (Board Review 21). He stated that he was the telephone/switchboard operator during this incident. Although he observed § 87(2)(b) yelling and acting “belligerently,” he believed that he was eating a meal when she was initially taken into the stationhouse, and consequently did not recall anything about her being taken into the stationhouse. He was not aware of any altercation involving § 87(2)(b) aside from later in the incident, when she slapped Police Officer Carey.

§ 87(2)(g)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Allegation K – Force: At the 6th Precinct stationhouse, Police Officer Cory Green used physical force against § 87(2)(b)

§ 87(2)(b) alleged that when officers lifted her off the ground, she and Police Officer Green began speaking “disrespectfully” to each other. She did not remember what they were saying. Whatever she said appeared to make Police Officer Green very upset. All the officers who were present stood approximately three to four feet from § 87(2)(b) and Police Officer Green. Their exchange ended when Police Officer Green punched § 87(2)(b) in the left eye with the full force of his right fist, causing her to sustain a black eye that stayed on her face for two weeks. § 87(2)(b) said, “You just hit me.” Police Officer Green said, “I don’t know what you’re talking about. No, I didn’t hit you.” Police Officer Green raised his hands with open palms. § 87(2)(b) replied, “But you did though.”

Police Officer Green denied that § 87(2)(b) “exchanged words” with an officer in the center of the stationhouse. He did not recall introducing himself as “Officer Green.” He could not recall her saying anything that was particularly offensive. Police Officer Green was asked whether he punched § 87(2)(b) in the center of the stationhouse and replied, “No. Never.” He denied punching her while she was handcuffed, adding, “No. Absolutely not. I didn’t touch her,” and, “No. Nobody punched her while she was in my presence.” He denied ever making contact with her face.

Police Officer Carey stated that she observed § 87(2)(b) being lifted off the ground by officers. However, she did not remember who those officers were. Police Officer Carey then began to search § 87(2)(b) who jerked her body away and screamed, “Get away from me.” Police Officer Carey did not remember anything that happened from the moment § 87(2)(b) jerked her body away until § 87(2)(b) slapped her face approximately one hour later. She did not remember the conclusion of this interaction, because she had been focused on processing her own arrest. She denied that Police Officer Green punched § 87(2)(b) in the face. She did not observe Police Officer Green use any physical force against § 87(2)(b).

Police Officer Krasniqi did not recall seeing Police Officer Green in the stationhouse during this incident. He did not recall § 87(2)(b) and Police Officer Green getting into an argument. He did not recall Police Officer Green punching § 87(2)(b) in the face.

Police Officer Borock did not remember § 87(2)(b) having an argument with Police Officer Green. He was asked whether Police Officer Green punched § 87(2)(b) in the left eye and he replied, “Not that I can remember. No.”

Sergeant Darabant stated that he remembered Police Officer Green being present at the stationhouse front desk with § 87(2)(b). However, he did not recall § 87(2)(b) having a conversation with Police Officer Green. He did not recall Police Officer Green punching § 87(2)(b).

§ 87(2)(b)'s arrest photograph (Board Review 24) depicts a bruise beneath her left eye.

As stated above, Police Officer Witt believed that he was eating a meal when § 87(2)(b) was initially taken into the stationhouse, and consequently did not recall anything about her being taken into the stationhouse. He was not aware of any altercation involving § 87(2)(b) aside from later, when she slapped Police Officer Carey.

§ 87(2)(g)

Allegation L – Offensive Language: At the 6th Precinct stationhouse, Police Officer Cory Green made remarks to § 87(2)(b) based upon race.

Allegation M – Offensive Language: At the 6th Precinct stationhouse, Police Officer Cory Green made remarks to § 87(2)(b) based upon gender.

Allegation N – Offensive Language: At the 6th Precinct stationhouse, Police Officer Cory Green made remarks to § 87(2)(b) based upon her perceived mental disability.

§ 87(2)(b) stated that after Police Officer Green punched her, she was escorted into an office near the front of the stationhouse accompanied by Police Officer Carey and a black male in an FDNY uniform. § 87(2)(b) told Police Officer Green that what he had done was not right and that this incident would not have happened if she were white. Police Officer Green replied that she was “talking nonsense.” She yelled at him and told him that he had been wrong. He replied that she was drunk. She replied that she was fine and sober and told him that he was bad at his job for doing what he had done to her. He told her to shut up and called her a “black bitch.” § 87(2)(b) asked for his name and told him that she was going to report him. He replied, “My name is Officer Green. You can go ahead.” § 87(2)(b) complained to the man in the FDNY uniform that Police Officer Green had “roughed [her] up.” Police Officer Green interjected and said, “Shut up, you’re insane.” § 87(2)(b) stood and continued to speak to Police Officer Green. Police Officer Carey put her hand up as if to get § 87(2)(b) to sit down. § 87(2)(b) responded by slapping Police Officer Carey across the face.

Police Officer Green denied calling § 87(2)(b) a “black bitch.” He denied calling her a “bitch” or “black.” He did not hear any other officer call her a “black bitch” or any other derogatory statement. He denied hearing any officer call § 87(2)(b) “insane.”

Police Officer Carey stated that when § 87(2)(b) slapped her, no FDNY personnel were present. She was asked whether Police Officer Green told § 87(2)(b) to shut up called her a black bitch. She replied, “Not in my presence, no.” She denied that any officer called § 87(2)(b) crazy.

During her CCRB interview, Police Officer Carey emailed the investigation a video of § 87(2)(b) slapping her in the face (Board Review 03). It appears to be edited and set to techno music. It shows § 87(2)(b) repeatedly slapping Police Officer Carey in the face. The timestamp shows that § 87(2)(b) slapped Police Officer Carey in the face at approximately 4:17 a.m. that morning.

§ 87(2)(g)

No other officer accounted for Police Officer Green calling § 87(2)(b) a “black bitch,” saying “You’re insane,” or otherwise indicating that § 87(2)(b) was mentally unwell.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b)
- Police Officer Green has been a member-of-service for seven years and has been a subject of five CCRB complaints and eight allegations, none of which have been substantiated. § 87(2)(g)
- Sergeant Becerra has been a member-of-service for fifteen years and has been a subject of nine CCRB complaints and twenty-four allegations, none of which have been substantiated. § 87(2)(g)
- Police Officer Lee has been a member-of-service for thirteen years and has been a subject of seven CCRB allegations in seven complaints, none of which have been substantiated. § 87(2)(g)
- Police Officer Ferguson has been a member-of-service for thirteen years and has been a subject of three CCRB complaints and five allegations, none of which have been substantiated. § 87(2)(g)
- Police Officer Krasniqi has been a member-of-service for four years and has not been a subject of any previous CCRB complaints.
- Police Officer Borock has been a member-of-service for four years and has been a subject of two CCRB complaints and three allegations, none of which have been substantiated.

§ 87(2)(g)

Mediation, Civil and Criminal Histories

- This case was not eligible for mediation due to § 87(2)(b)'s arrest.
- § 87(2)(b), § 87(2)(c) (impair contract awards or CBAs)

- § 87(2)(b), § 87(2)(c) (impair contract awards or CBAs)
- § 87(2)(b)
- § 87(2)(b)

Squad 12

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date